



In re application of :  
 Jan BARNIKOW et al. : Attorney Docket No. 2006\_1322A  
 Serial No. 10/591,159 :  
 Filed August 30, 2006 :  
 MUTANTS OF O6-ALKYLGUANINE-DNA  
 ALKYLTRANSFERASE  
 [Corresponding to PCT/EP2005/050899  
 Filed March 1, 2005]

THE COMMISSIONER IS AUTHORIZED  
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 FEE FOR THIS PAPER TO DEPOSIT  
 ACCOUNT NO. 23-0975.

### INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicants request consideration of the references listed on attached form PTO-1449 and any additional information identified below in paragraph 3. A legible copy of each reference listed on the Form PTO-1449 is enclosed, except a copy is not provided for:

- ☒ each U.S. Patent and U.S. Patent application publication;
- ☐ each reference previously cited in the international application PCT/\_\_\_\_\_; and/or
- ☐ each reference previously cited in prior parent application Serial No. \_\_\_\_\_.

1a. ☒ This Information Disclosure Statement is submitted:

within three months of the filing date (or of entry into the National Stage) of the above-entitled application, **or**

before the mailing of a first Office Action on the merits or the mailing of a first Office Action after the filing of an RCE,

**and thus no certification and/or fee is required.**

- 1b. ☐ This Information Disclosure Statement is submitted

after the events of above paragraph 1a and prior to the mailing date of a final Office Action or a Notice of Allowance or an action which otherwise closes prosecution in the application, and thus:

- (1) ☐ the certification of paragraph 2 below is provided, or  
 (2) ☐ the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

- 1c. ☐ This Information Disclosure Statement is submitted:

after the mailing date of a final Office Action or Notice of Allowance or action which otherwise closes prosecution in the application, and prior to payment of the issue fee, and thus:

**the certification of paragraph 2 below is provided, and  
 the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.**

2. It is hereby certified

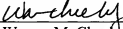
- a. ☐ that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or  
 b. ☐ that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the Statement.

3. ☐ Consideration of the following list of additional information (including any copending or abandoned U.S. application, prior uses and/or sales, etc.) is requested.
4. For each non-English language reference listed on the attached form PTO-1449, reference is made to:
- a. ☐ a full or partial English language translation submitted herewith,
  - b. ☐ a foreign patent office search report (in the English language) submitted herewith,
  - c. ☐ the concise explanation contained in the specification of the present application at page,
  - d. ☐ the concise explanation set forth in the attached English language abstract,
  - e. ☐ the concise explanation set forth below or on a separate sheet attached to the reference:
5. ☒ A foreign patent office search report citing one or more of the references is enclosed.
6. ☐ Statement Under 37 CFR 1.704(d)

Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign Patent Office in a counterpart application, and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

Respectfully submitted,

Jan BARNIKOW et al.

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 October 3, 2006

FORM PTO 1449 (modified)

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICELIST OF REFERENCES CITED BY APPLICANT(S)  
(Use several sheets if necessary)

Date Submitted to PTO: October 3, 2006

ATTY DOCKET NO.  
2006\_1322ASERIAL NO.  
10/591,159APPLICANT  
Jan BARNIKOW et al.FILING DATE  
August 30, 2006

GROUP



## U.S. PATENT DOCUMENTS

| *EXAMINER<br>INITIAL |    | DOCUMENT<br>NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF<br>APPROPRIATE |
|----------------------|----|--------------------|------|------|-------|----------|-------------------------------|
|                      | AA |                    |      |      |       |          |                               |
|                      | AB |                    |      |      |       |          |                               |
|                      | AC |                    |      |      |       |          |                               |
|                      | AD |                    |      |      |       |          |                               |

## FOREIGN PATENT DOCUMENTS

|  |    | DOCUMENT<br>NUMBER | DATE    | COUNTRY | CLASS | SUBCLASS | TRANSLATION<br>YES NO |
|--|----|--------------------|---------|---------|-------|----------|-----------------------|
|  | AE | 02/083937          | 10/2002 | WO      |       |          |                       |
|  | AF | 2004/031404        | 4/2004  | WO      |       |          |                       |
|  | AG | 2004/031405        | 4/2004  | WO      |       |          |                       |
|  | AH | 98/13487           | 4/1998  | WO      |       |          |                       |
|  | AI |                    |         |         |       |          |                       |

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

|    |   |
|----|---|
| AJ | S. Gendreizig et al., "Induced Protein Dimerization <i>In Vivo</i> through Covalent Labeling", Journal of the American Chemical Society, , Vol. 125, No. 49, pp. 14970-14971, August 12, 2003.  |
| AK | A. Juillerat et al., "Directed Evolution of O <sup>6</sup> -Alkylguanine-DNA Alkyltransferase for Efficient Labeling of Fusion Proteins with Small Molecules <i>In Vivo</i> ", Chemistry and Biology, Vol. 10, No. 4, pp. 313-317, April 4, 2003. |
| AL | W. P.C. Stemmer et al., "Rapid Evolution of a Protein <i>In Vitro</i> by DNA Shuffling", Nature, Vol. 370, pp. 389-391, August 4, 1994.   |
| AM | M. Xu-Welliver et al., "Point Mutations at Multiple Sites Including Highly Conserved Amino Acids Maintain Activity, but Render O-Benzylguanine", Biochemical Journal, Vol. 347, No. 2, pp. 519-526, April 15, 2000.                               |

EXAMINER

/Yong Pak/

DATE CONSIDERED

01/19/2009

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /Y.P./